

**FINAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL (SFM)
REGARDING THE ADOPTION BY REFERENCE OF THE
2005 EDITION OF THE NATIONAL ELECTRICAL CODE (NEC)
WITH AMENDMENTS INTO THE 2007 CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 3.**

Legend for Express Terms:

1. California amendments brought forward without modification: *All such language appears in Italics.*
 2. California amendments brought forward with modification: *All such language appears in Italics, modified language is underlined.*
 3. New NEC language with new California amendment: NEC language is shown in normal Arial 9 pt. California amendments to NEC text appear underlined and in italics.
 4. New California amendment: California language appears underlined and in Italics.
 5. Repealed Text: Shown as ~~Strikeout~~.
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REPEAL OF EXISTING AMENDMENTS AND/OR CALIFORNIA BUILDING STANDARDS NOT ADDRESSED BY MODEL CODES THAT ARE NO LONGER NECESSARY AS FOLLOWS:

REPEALED AMENDMENTS:

ARTICLE 89—Administration

~~**89.1 Title.** The provisions contained in this Code shall be known as the “California Electrical Code,” a portion of the “California Building Standards Code,” as defined in the “California Building Standards Law” commencing with Section 18901 of the Health and Safety Code, and may be cited and referred to as the “California Electrical Code.” The unqualified words “This Code” as used herein, refer only to the California Electrical Code, and do not include any other portions of the California Building Standards Code. These provisions may also be cited as “C.E.C.” or “Part 3” within other parts of the California Building Standards Code (Title 24).~~

~~**89.2 Purpose.** The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare, and to protect against hazards that may arise from the use of electricity by regulating and controlling the design, construction, installation, quality of materials, location and operation of electrical equipment, wiring and systems.~~

~~**89.3 Scope.** The provisions of this Code and the building standards contained herein, including those standards adopted by reference without amendments, where specifically adopted by the listed agencies under their cited authority and enforced by the enforcing agency specified in Section 89.7, shall apply to the construction, alteration,~~

~~moving, demolition, repair and use of all electrical equipment, wiring and systems in or on any building or structure or outdoors on any premise or property; except such electrical equipment, wiring and systems which are expressly exempted by Section 89.4.~~

89.5 Non-Building Standards, Orders and Regulations.

~~(A) Requirements contained in the National Electrical Code (NEC), or in any other referenced code, document, or standard, which are not building standards as defined in Section 18909 of the Health and Safety Code, shall not be construed as a part of the provisions of this Code.~~

~~(B) For the applicability of regulations, safety and other orders, and standards, which relate to the administration, enforcement, maintenance, operation and similar non-building standards, see other titles of the California Code of Regulations.~~

89.6 Order of Precedence and Use.

~~(A) In the event of any difference between the provisions of this Code and the National Electrical Code (NEC), or between this Code and the provisions of any other referenced code, document or standard, the text of this Code shall govern. Where a specific provision varies from a general provision, the specific provisions shall apply.~~

~~(B) If a section of this Code makes a cross-reference to another section or table in the National Electrical Code (NEC), such cross-referencing shall be interpreted to mean that which is shown in the NEC unless the referenced section or table has been amended or modified in this Code for the particular enforcing agency.~~

~~(C) If a section in the National Electrical Code (NEC) makes a cross-reference to another section or table in the NEC, such cross-referencing shall be interpreted to mean that which is shown in the NEC unless the referenced section or table has been amended or modified in this Code for the particular enforcing agency.~~

~~(D) When adopted by a State agency, and approved by the Commission, the text of amended provisions contained in this Code shall take precedence over the corresponding provisions of the National Electrical Code (NEC).~~

89.7. Application.

89.7.8. SFM – Office of the State Fire Marshal

~~**Application** – Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.~~

~~Any theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.~~

~~Authority Cited Health and Safety Code Section 13143.~~

~~Reference Health and Safety Code Section 13143.~~

Small Family Day-care Homes

~~Authority Cited Health and Safety Code Sections 1597.45, 1597.54, 13143 and 17921.~~

~~Reference Health and Safety Code Section 13143.~~

Large Family Day-care Homes

~~Authority Cited Health and Safety Code Sections 1597.46, 1597.54 and 17921.~~

~~Reference Health and Safety Code Section 13143.~~

Residential Facilities and Residential Facilities for the Elderly

~~Authority Cited Health and Safety Code Section 13113 and 13131.5~~

~~Reference Health and Safety Code Section 13143.~~

~~**Any state institution or other state-owned or state-occupied building.**~~

~~Authority Cited Health and Safety Code Section 13108.~~

~~Reference Health and Safety Code Section 13143.~~

~~**High-rise Structures**~~

~~Authority Cited Health and Safety Code Section 13211.~~

~~Reference Health and Safety Code Section 13143.~~

~~**Motion Picture Production Studios**~~

~~Authority Cited Health and Safety Code Section 13143.1.~~

~~Reference Health and Safety Code Section 13143.~~

~~**Any state institution or other state-owned or state-occupied building.**~~

~~Authority Cited Health and Safety Code Section 13108.~~

~~Reference Health and Safety Code Section 13143.~~

~~**High-rise Structures**~~

~~Authority Cited Health and Safety Code Section 13211.~~

~~Reference Health and Safety Code Section 13143.~~

~~**Motion Picture Production Studios**~~

~~Authority Cited Health and Safety Code Section 13143.1.~~

~~Reference Health and Safety Code Section 13143.~~

~~**Organized Camps**~~

~~Authority Cited Health and Safety Code Section 18897.3.~~

~~Reference Health and Safety Code Section 13143.~~

~~All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto.~~

~~Multiple-story structures existing on January 1, 1975, let for human habitation, including and limited to, hotels, motels, apartment houses, less than 75 feet (22 860 mm) above the lowest floor level having building access, wherein rooms used for sleeping are let above the ground floor.~~

~~Authority Cited Health and Safety Code Sections 13143.2 and 17021.~~

~~Reference Health and Safety Code Section 13143.~~

~~Certified family care homes, out of home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.~~

~~Authority Cited Health and Safety Code Section 13143 and 13143.6.~~

~~Reference Health and Safety Code Section 13143.6.~~

~~**Tents, awnings or other fabric enclosures used in connection with any occupancy.**~~

~~Authority Cited Health and Safety Code Section 13116.~~

~~Reference Health and Safety Code Section 13116.~~

~~**Fire alarm devices, equipment and systems, in connection with any occupancy.**~~

~~Authority Cited Health and Safety Code Sections 13114 and 13143.~~

~~Reference Health and Safety Code Section 13114.~~

~~**Hazardous materials.**~~

~~Authority Cited Health and Safety Code Sections 13143.9.~~

~~Reference Health and Safety Code Section 13143.9.~~

Flammable and combustible liquids.

Authority Cited Health and Safety Code Sections 13143.6.

Reference Health and Safety Code Section 13143.6.

~~**89.8 Adopting Agency.** An "Adopting agency" is a State agency, excluding an agency in the judicial or legislative department of the State Government, which is responsible for the administration of a program and which as promulgated, adopted and submitted to the Commission for its approval proposed building standards for such programs. "Adopting agency" may include boards, commissions, committees, departments, divisions, officers, and other subdivisions of State Government.~~

~~**89.9. Format.** The California Electrical Code, a part of the California Building Standards Code, adopts the National Electrical Code (NEC) by reference on an article by article basis. Amendments or additions to the provisions of the NEC by each adopting agency are adopted on a section by section or subsection by subsection basis, and follow the NEC format using the same titles, bold face headings and general text arrangement, except where the commission has approved a format variance.~~

~~**89.10. Validity.** If any chapter, article, section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the State as stipulated by statutes, or otherwise inoperative, such decisions shall not affect the validity of the remaining portions of this Code.~~

~~**89.11. Standard Reference Documents.**~~

~~(A) The codes, publications, and standards adopted in the Matrix Adoption or referred to in this Code, including other codes, publications, and standards referred to therein, are by title and date of publication, hereby adopted as standard reference documents of this code.~~

~~(B) Such reference to other documents shall be made in the form of either an Internal citation within the text or a fine print note (utilizing a smaller typographical alphabet letter size), and shall be a specific edition of the referenced document. Internal citations appearing within the text of a building standard are enforceable, and each citation must be checked for accuracy and application. Fine print notes, which appear beneath the applicable text of the building standard or Code section are explanatory of permissive and are not enforceable.~~

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CALIFORNIA ARTICLE 89
GENERAL CODE PROVISIONS

(Note: Adopt only those sections listed in the matrix adoption table.)

SECTION 89.101
GENERAL

89.101.1 Title. These regulations shall be known as the California Electrical Code, may be cited as such and will be referred to herein as "this code." The California Electrical Code is Part 3 of twelve parts of the official compilation and publication of the adoptions, amendment, and repeal of Electrical regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the 2005 National Electrical Code of the National Fire Protection Association with necessary California amendments.

89.101.2 Purpose. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation, and energy conservation; to preserve life and property from

fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.

89.101.3 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the State of California.

89.101.3.1 Non-State-Regulated Buildings, Structures, and Applications. Except as modified by local ordinance pursuant to Section 101.8, the building standards in the California Code of Regulations, Title 24, Parts 2, 3, 4, 5, 6, 9 and 10 shall apply to all occupancies and applications not regulated by a state agency.

89.101.3.2 State-Regulated Buildings, Structures, and Applications. The model code, state amendments to the model code, and/or state amendments where there are no relevant model code provisions, shall apply to the following buildings, structures, and applications regulated by state agencies as referenced in the Matrix Adoption Tables and as specified in sections 102 through 113, except where modified by local ordinance pursuant to Section 101.8. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the State Legislature.

Note: See Preface to distinguish the model code provisions from the California provisions.

1. State-owned buildings, including buildings constructed by the Trustees of the California State University, and to the extent permitted by California laws, buildings designed and constructed by the Regents of the University of California, and regulated by the Building Standards Commission. See section 89.102 for additional scope provisions.
2. Local detention facilities regulated by the Board of Corrections. See section 89.103 for additional scope provisions.
3. Barbering, cosmetology or electrolysis, establishments, acupuncture offices, pharmacies, veterinary facilities, and structural pest control locations regulated by the Department of Consumer Affairs. See section 89.104 for additional scope provisions.
4. Energy efficiency standards regulated by the California Energy Commission. See section 89.105 for additional scope provisions.
5. Dairies and places of meat inspection regulated by the Department of Food and Agriculture. See section 89.106 for additional scope provisions.
6. Organized camps, laboratory animal quarters, public swimming pools, radiation protection, commissaries serving mobile food preparation vehicles, and wild animal quarantine facilities regulated by the Department of Health Services. See section 89.107 for additional scope provisions.
7. Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing, and other types of dwellings containing sleeping accommodations with common toilets or cooking facilities. See section 89.108 for additional scope provisions.
8. Accommodations for persons with disabilities in buildings containing newly constructed covered multifamily dwellings, new common use spaces serving existing covered multifamily dwellings, additions to existing buildings where the addition alone meets the definition of a covered multifamily dwelling, and common-use spaces serving covered multifamily dwellings which are regulated by Department of Housing and Community Development. See section 89.108 for additional scope provisions.

9. Permanent buildings and permanent accessory buildings or structures constructed within mobilehome parks and special occupancy parks regulated by the Department of Housing and Community Development. See section 89.108 for additional scope provisions.
10. Accommodations for persons with disabilities regulated by the Division of the State Architect. See section 89.109.1 for additional scope provisions.
11. Public elementary and secondary schools, community college buildings, and state-owned or state-leased essential service buildings regulated by the Division of the State Architect. See section 89.109.2 for additional scope provisions.
12. Qualified historical buildings and structures and their associated sites regulated by the State Historical Building Safety Board with the Division of the State Architect. See section 89.109.3 for additional scope provisions.
13. General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the Department of Health Services, and correctional treatment centers regulated by the Office of Statewide Health Planning and Development. See section 89.110 for additional scope provisions.
14. Applications regulated by the Office of State Fire Marshal include but are not limited to the following in accordance with Section 89.111:
1. Buildings or structures used or intended for use as an:
 - 1.1. Asylum, jail
 - 1.2. Mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school or any similar occupancy of any capacity
 - 1.3. Theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education
 - 1.4. Small family day care homes, large family day-care homes, residential facilities and residential facilities for the elderly, residential care facilities
 - 1.5. State institutions or other state-owned or state-occupied buildings
 - 1.6. High rise structures
 - 1.7. Motion picture production studios
 - 1.8. Organized camps
 - 1.9. Residential structures
 2. Tents, awnings or other fabric enclosures used in connection with any occupancy
 3. Fire alarm devices, equipment and systems in connection with any occupancy
 4. Hazardous materials, flammable and combustible liquids
 5. Public school automatic fire detection, alarm, and sprinkler systems
15. 6. Wildland urban interface fire areas
16. Public libraries constructed and renovated using funds from the California Library Construction and Renovation Bond Act of 1988 and regulated by the State Librarian. See section 89.112 for additional scope provisions.
17. Graywater systems regulated by the Department of Water Resources. See section 89.113 for additional scope provisions.

89.101.3.3 (Relocated from 2004 CEC 89.4) **89-4 Exempted from this Code.** This Code does not cover:

~~(A)~~-1. Installations in ships, watercraft other than floating dwelling units, railway rolling stock, aircraft, automotive vehicles, commercial coaches, mobilehomes, and recreational vehicles.

~~(B)~~-2. Installations underground in mines, mine shafts and tunnels.

~~(C)~~-3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.

~~(D)~~-4. Installation of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

~~(E)~~-5. Installations under the exclusive control of electrical utilities for the purpose of communication, or metering; or for the generation, control, transformation, transmission, and distribution of electrical energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

Exception to ~~(D)~~4 and ~~(E)~~5: In places of employment, the following shall apply: installations of conductors, equipment and associated enclosures subject to the jurisdiction of the California Public Utilities Commission, that are owned, operated and maintained by an electric, communications or electric railway utility, but not including conduit, vaults, and other like enclosures containing conductors and equipment of such a utility when located indoors or on premises not used exclusively for utility purposes, but do not apply to the utility's conductors and equipment therein.

~~(F)~~-6. Installations on highways or bridges.

89.101.4 Appendices. Provisions contained in the appendices of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Section 18938 (b) for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts. See section 89.101.8 of this code.

89.101.5 Referenced Codes. The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized architectural or engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Prevention Association are permitted to be used as authoritative guides in determining recognized fire-prevention engineering practices.

89.101.6 Non-Building Standards, Orders and Regulations. Requirements contained in the National Electrical Code, or in any other referenced standard, code or document, which are not building standards as defined in section 18909, Health and Safety Code, shall not be construed as part of the provisions of this code. For non-building standards, orders, and regulations, see other titles of the California Code of Regulations.

89.101.7 Order of Precedence and Use.

89.101.7.1 Differences. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.

89.101.7.2 Specific provision. Where a specific provision varies from a general provision, the specific provisions shall apply.

89.101.7.3 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirement shall prevail.

89.101.8 City, County, or City and County Amendments, Additions or Deletions.

The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with section 89.101.8.1. The effective date of amendments, additions, or deletions to this code of cities, counties, or city and counties filed pursuant to section 89.101.8.1 shall be the date filed. However, in no case shall the amendments, additions or deletions to this code be effective any sooner than the effective date of this code.

89.101.8.1 Findings and Filings.

1. The city, county, or city and county shall make express findings for each amendment, addition or deletion based upon climatic, topographical, or geological conditions.

Exception: Hazardous building ordinances and programs mitigating unreinforced masonry buildings.

2. The city, county, or city and county shall file the amendments, additions, or deletions expressly marked and identified as to the applicable findings. Cities, counties, cities and counties, and fire departments shall file the amendments, additions or deletions, and the findings with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.
3. Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development at 1800 3rd Street, Room 260, Sacramento, CA 95814.

89.101.9 Effective Date of this Code. Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.

89.101.10 Availability of Codes. At least one entire copy each of Titles 8, 19, 20, 24, and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. See Health and Safety Code section 18942 (d) (1) & (2).

89.101.11 Format. This part fundamentally adopts the National Electrical Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix adoption table of each chapter of this part. When the Matrix adoption tables make no reference to a specific chapter of the National Electrical Code, such chapter of the National Electrical Code is not adopted as a portion of this code.

89.101.12 Validity. If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

SECTION 89.111 **OFFICE OF THE STATE FIRE MARSHAL**

89.111.1 (Relocated from 2001 CBC 101.17.14) **SFM-Office of the State Fire Marshal.**

Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.

Any theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Authority Cited. Health and Safety Code Section 13143.

Reference. Health and Safety Code Section 13143.

Small Family Day-care Homes

Authority Cited. Health and Safety Code Sections 1597.45, 1597.54, 13143 and 17921.

Reference. Health and Safety Code Section 13143.

Large Family Day-care Homes

Authority Cited. Health and Safety Code Sections 1597.46, 1597.54 and 17921.

Reference. Health and Safety Code Section 13143.

Residential Facilities and Residential Facilities for the Elderly

Authority Cited. Health and Safety Code Section 13133.

Reference. Health and Safety Code Section 13143.

Any state institution or other state-owned or state-occupied building.

Authority Cited. Health and Safety Code Section 13108.

Reference. Health and Safety Code Section 13143.

High-rise Structures

Authority Cited. Health and Safety Code Section 13211.

Reference. Health and Safety Code Section 13143.

Motion Picture Production Studios

Authority Cited. Health and Safety Code Section 13143.1.

Reference. Health and Safety Code Section 13143.

Organized Camps

Authority Cited. Health and Safety Code Section 18897.3.

Reference. Health and Safety Code Section 13143.

Residential

All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto.

Multiple-story structures existing on January 1, 1975, let for human habitation, including and limited to, hotels, motels, apartment houses, less than 75 feet (22 860 mm) above the lowest floor level having building access, wherein rooms used for sleeping are let above the ground floor.

Authority Cited. Health and Safety Code Sections 13143.2 and 17921.

Reference. Health and Safety Code Section 13143.

Residential Care Facilities

Certified family-care homes, out-of-home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.

Authority Cited. Health and Safety Code Section 13143.6.

Tents, awnings or other fabric enclosures used in connection with any occupancy.

Authority Cited. Health and Safety Code Section 13116.

Reference. Health and Safety Code Section 13143.

Enforcing Agency. Pursuant to Section 13146, Health and Safety Code:

Fire alarm devices, equipment and systems in connection with any occupancy.

Authority Cited. Health and Safety Code Section 13114.

Hazardous materials.

Authority Cited. Health and Safety Code Section 13143.9.

Flammable and combustible liquids.

Authority Cited. Health and Safety Code Section 13143.6.

Public School Automatic Fire Detection, Alarm, and Sprinkler Systems

Authority Cited. Health & Safety Code Section 13143 and California Education Code Article 7.5, Sections 17074.50, 17074.52, & 17074.54.

Reference. Government Code Section 11152.5 and Health & Safety Code Section 13143 and California Education Code Chapter 12.5, Leroy F. Greene School Facilities Act of 1998, Article 1.

Wildland Urban Interface Fire Area

Authority Cited. Health & Safety Code Sections 13143, 13108.5(a) and 18949.2(b) and (c) and Government Code Section 51189.

Reference. Health & Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179 and Public Resources Code Sections 4201 through 4204

89.111.2 Duties and Powers of the Enforcing Agency

89.111.2.1 Enforcement.

89.111.2.1.1 (Relocated from 2001 CBC 101.17.4) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the Office of the State Fire Marshal shall be as follows:

1. The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building Standards Code, to either of the following:
 - 1.1. The chief of the fire authority of the city, county, or city and county, or an authorized representative.
 - 1.2. The chief building official of the city, county, or city and county, or an authorized representative.
2. The chief of any city or county fire department or of any fire protection district, and authorized representatives, shall enforce within the jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in Item 1 or 4.
3. The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services.
4. The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in corporate cities and districts providing fire-protection services on request of the chief fire official or the governing body.
5. Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged pursuant to Section 66014 of the

Government Code.

89.111.2.1.2 (Relocated from 2001 CBC 104.2.1) Pursuant to Health and Safety Code Section 13108, upon the written request of the chief fire official of any city, county or fire-protection district, the State Fire Marshal may authorize such chief fire official and his or her authorized representatives, in their geographical area of responsibility, to make fire-prevention inspections of state-owned or state-occupied buildings, other than state institutions, for the purpose of enforcing the regulations relating to fire and panic safety adopted by the State Fire Marshal pursuant to this section and building standards relating to fire and panic safety published in the California Building Standards Code. Authorization from the State Fire Marshal shall be limited to those fire departments or fire districts which maintain a fire-prevention bureau staffed by paid personnel.

Pursuant to Health and Safety Code Section 13108, any requirement or order made by any chief fire official who is authorized by the State Fire Marshal to make fire-prevention inspections of state-owned or state-occupied buildings, other than state institutions, may be appealed to the State Fire Marshal. The State Fire Marshal shall, upon receiving an appeal and subject to the provisions of Chapter 5 (commencing with Section 18945) of Part 2, 5 of Division 13 of the Health and Safety Code, determine if the requirement or order made is reasonably consistent with the fire and panic safety regulations adopted by the Office of the State Fire Marshal and building standards relating to fire and panic safety published in the California Building Code.

(Relocated from 2001 CBC 104.2.1) Any person may request a code interpretation from the State Fire Marshal relative to the intent of any regulation or provision adopted by the State Fire Marshal. When the request relates to a specific project, occupancy or building, the State Fire Marshal shall review the issue with the appropriate local enforcing agency prior to rendering such code interpretation.

89.111.2.1.3 (Relocated from 2001 CBC 103.1) Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the state fire marshal is guilty of a misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the state fire marshal as contained in this code.

Any inspection authority who, in the exercise of his or her authority as a deputy state fire marshal, causes any legal complaints to be filed or any arrest to be made shall notify the state fire marshal immediately following such action.

89.111.2.2 (Relocated from 2001 CBC 104.2.3) **Right of entry.**

The fire chief of any city, county or fire-protection district, or such person's authorized representative, may enter any state institution or any other state-owned or state-occupied building for the purpose of preparing a fire-suppression preplanning program or for the purpose of investigating any fire in a state-occupied building.

The State Fire Marshal, his or her deputies or salaried assistants, the chief of any city or county fire department or fire protection district and his or her authorized representatives may enter any building or premises not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager or operator of any such building or premises shall permit the State Fire Marshal, his or her deputies or salaried assistants and the chief of any city or county fire department or fire-protection district and his or her authorized representatives to enter and inspect them at the time and for the purpose stated in this section.

89.111.2.3 More Restrictive Fire and Panic Safety Building Standards. (Relocated from 2001 CBC 101.15)

89.111.2.3.1 Any fire-protection district organized pursuant to Health and Safety Code Part 2.7 (commencing with Section 13800) of Division 12 may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code. For these purposes, the district board shall be deemed a legislative body and the district shall be deemed a local agency. Any changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety shall be subject to 101.8.1.

89.111.2.3.2 Any fire protection district that proposes to adopt an ordinance pursuant to this section shall, not less than 30 days prior to noticing a proposed ordinance for public hearing, provide a copy of that ordinance, together with

the adopted findings made pursuant to Section 89.111.2.3.1, to the city, county, or city and county where the ordinance will apply. The city, county, or city and county, may provide the district with written comments, which shall become part of the fire protection district's public hearing record.

89.111.2.3.3 The fire-protection district shall transmit the adopted ordinance to the city, county, or city and county where the ordinance will apply. The legislative body of the city, county, or city and county, may ratify, modify or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. No ordinance adopted by the district shall be effective until ratification by the city, county, or city and county where the ordinance will apply. Upon ratification of an adopted ordinance, the city, county, or city and county, shall file a copy of the findings of the district, and any findings of the city, county, or city and county, together with the adopted ordinance expressly marked and identified to which each finding refers, in accordance with Section 101.8.1:3.

89.111.2.4 (Relocated from 2001 CFC 103.1.2.1) **Request for alternate means of protection.** Requests for approval to use an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection shall be made in writing to the enforcing agency by the owner or the owner's authorized representative and shall be accompanied by a full statement of the conditions. Sufficient evidence or proof shall be submitted to substantiate any claim that may be made regarding its conformance. The enforcing agency may require tests and the submission of a test report from an approved testing organization as set forth in Title 19, California code of Regulation, to substantiate the equivalency of the proposed alternative means of protection.

The authority having jurisdiction may consider implementation of the findings and recommendations identified in a Risk Management Plan (RMP) as developed in accordance with Title 19, Division 2, Chapter 3, when evaluating requests for alternative means of protection.

Approval of a request for use of an alternative material, assembly of materials, equipment, method of construction, method of installation of equipment, or means of protection made pursuant to these provisions shall be limited to the particular case covered by request and shall not be construed as establishing any precedent for any future request.

89.111.2.5 (Relocated from 2001 CFC 103.1.4.2) **Appeals.** When a request for an alternate means of protection has been denied by the enforcing agency, the applicant may file a written appeal to the state fire marshal for consideration of the applicant's proposal. In considering such appeal, the state fire marshal may seek the advice of the State Board of Fire Services. The State Fire Marshal shall, after considering all of the facts presented, including any recommendations of the State board of Fire Services, determine if the proposal is for the purposes intended, at least equivalent to that specified in these regulations in quality, strength, effectiveness, fire resistance, durability and safety, and shall transmit such findings and any recommendations to the applicant and to the enforcing agency.

89.111.3 Construction Documents. In addition to the provisions of this Section, see Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 106 for additional requirements.

89.111.3.1 (Relocated from 2001 CBC 106.3.3.1) **Public schools.** Plans and specifications for the construction, alteration or addition to any building owned, leased or rented by any public school district shall be submitted to the Division of the State Architect, Office of Regulation Services for review and approval.

Exception: Upon the annual submission of a written request by the chief of any city, county, or city and county fire department or fire-protection district to the Division of the State Architect, Office of Regulation Services, approvals required by this subsection shall be obtained from the appropriate chief or his or her authorized representative. In such instances plans and specifications may be submitted to the State Fire Marshal for relay to the appropriate local authority or may be submitted directly to such local authority.

89.111.3.2 (Relocated from 2001 CBC 106.3.3.2) **Movable walls and partitions.** Plans or diagrams shall be submitted to the enforcing agency for approval before the installation of, or rearrangement of, any movable wall or partition in any occupancy. Approval shall be granted only if there is no increase in the fire hazard.

89.111.3.3 (Relocated from 2001 CBC 106.3.3.3) **New construction high-rise buildings.**

1. Complete plans or specifications, or both, shall be prepared covering all work required to comply with new construction high-rise buildings. Such plans and specifications shall be submitted to the enforcing agency having jurisdiction.

2. All plans and specifications shall be prepared under the responsible charge of an architect or a civil or structural engineer authorized by law to develop construction plans and specifications, or by both such architect and engineer. Plans and specifications shall be prepared by an engineer duly qualified in that branch of engineering necessary to perform such services. Administration of the work of construction shall be under the charge of the responsible architect or engineer except that where plans and specifications involve alterations or repairs, such work of construction may be administered by an engineer duly qualified to perform such services and holding a valid certificate under Chapter 7 (commencing with Section 65700) of Division 3 of the Business and Professions Code for performance of services in that branch of engineering in which said plans, specifications and estimates and work of construction are applicable.

This section shall not be construed as preventing the design of fire-extinguishing systems by persons holding a C-16 license issued pursuant to Division 3, Chapter 9, Business and Professions Code. In such instances, however, the responsibility charge of this section shall prevail.

89.111.3.4 (Relocated from 2001 CBC 106.3.3.4) **Existing high-rise buildings.** 1. Complete plans or specifications, or both, shall be prepared covering all work required by Section 3412, for existing high-rise buildings. Such plans or specifications shall be submitted to the enforcing agency having jurisdiction.

2. When new construction is required to conform with the provisions of these regulations, complete plans or specifications, or both, shall be prepared in accordance with the provisions of this subsection. As used in this section "new construction" is not intended to include repairs, replacements or minor alterations which do not disrupt or appreciably add to or affect the structural aspects of the building.

89.111.3.5 (Relocated from 2001 CPC 103.3.2.2) **Retention of Plans.** Refer to Building Standards Law, Health and Safety Code Sections 19850 and 19851, for permanent retention of plans.

89.111.4 Fees

89.111.4.1 (Relocated from 2001 CBC 107.6.1) **Other fees.** Pursuant to Health and Safety Code Section 13146.2, a city, county or district which inspects a hotel, motel, lodging house, or apartment house may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county or district, sufficient to pay its costs of that inspection.

(Relocated from 2001 CBC 107.6.1)

89.111.4.2 Large Family Day Care. Pursuant to Health and Safety Code Section 1597.46, Large Family Day-care Homes, the local government shall process any required permit as economically as possible, and fees charged for review shall not exceed the costs of the review and permit process.

(Relocated from 2001 CBC 107.6.1)

89.111.4.3 High-Rise. Pursuant to Health and Safety Code Section 13217, High-rise Structure Inspection: Fees and Costs, a local agency which inspects a high-rise structure pursuant to Health and Safety Code Section 13217 may charge and collect a fee for the inspection from the owner of the high-rise structure in an amount, as determined by the local agency, sufficient to pay its costs of that inspection.

(Relocated from 2001 CBC 107.6.1)

89.111.4.4 Fire Clearance Preinspection. Pursuant to Health and Safety Code Section 13235, Fire Clearance Preinspection, fee; upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential-care facility for the elderly, as defined in Section 1569.2, or of a child day-care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or state fire marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall price consultation and interpretation of the fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety

regulations which shall be enforced in order to obtain fire clearance approval. A fee of not more than \$50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than \$100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

(Relocated from 2001 CBC 107.6.1)

89.111.4.5 Care Facilities. The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential-care facility for the elderly, or child day-care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final preclearance inspection by the State Department of Social Services, whichever is later.

Pursuant to Health and Safety Code Section 13235, a preinspection fee of not more than \$50 may be charged for a facility with a capacity to serve 25 or less clients. A fee of not more than \$100 may be charged for a preinspection of a facility with a capacity to serve 26 or more clients.

Pursuant to Health and Safety Code Section 13131.5, a reasonable final inspection fee, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Occupancies classified as residential care facilities for the elderly (RCFE).

Pursuant to Health and Safety Code Section 1569.84, neither the state fire marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential-care facilities for the elderly (RCFE) which service six or fewer persons.

(Relocated from 2001 CBC 107.6.1)

89.111.4.6 Requests of the Office of the State Fire Marshal Requests. Whenever a local authority having jurisdiction requests that the State Fire Marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

89.111.5 Inspections.

89.111.5.1 Existing Group I-1 or R occupancies. Licensed 24-hour care in a Group I-1 or R occupancy in existence and originally classified under previously adopted state codes be reinspected under the appropriate previous code provided there is no change in the use or character which would place the facility in a different occupancy group.

89.111.6 Certificate of Occupancy. A Certificate of Occupancy shall be issued as specified in Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 110.

Exception: Group R-3 and Group U Occupancies.

89.111.7 Temporary Structures and Uses. See Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 107.

89.111.8 Service Utilities. See Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 111.

89.111.9 Stop Work Order. See Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 114.

89.111.10 Unsafe Buildings, Structures and Equipment. See Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 115.

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13143, 17921, 18949

References: Health and Safety Code Sections 13143

ARTICLE 90

INTROUCTION

(Note: This Article is not adopted.)

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 1 – General - Articles 100 and 110

The SFM is proposing the adoption by reference the entire Article 100 – Definitions without SFM amendments.

The SFM is proposing the adoption by reference the entire Article 110-Requirements for Electrical Installations without SFM amendments.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 2 – Wiring and Protection - Articles 225 and 250

The SFM is proposing the adoption by reference of only those sections listed below from Article 225, without amendment.

225.19(E) Zone for Fire Ladders.

The SFM is proposing the adoption by reference of only those sections listed below from Article 250-Grounding, without amendment.

250.112(I) Power-Limited Remote-Control, Signaling, and Fire Alarm Circuits.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 3 – Wiring Methods and Materials, Articles 300, 314, 320, 330, 332, 334, and 362

The SFM is proposing the adoption by reference of only those sections listed below from Article 300-Wiring Methods, without amendment.

300.21 Spread of Fire or Products of Combustion.

300.22 Wiring in Ducts, Plenums, and Other Air-Handling Spaces.

The SFM is proposing the adoption by reference of only those sections listed below from Article 314-Outlet, Device,

Pull and Junction Boxes, Conduit Bodies and Fittings, without amendment.

314.15 Damp, Wet, or Hazardous (Classified Locations).

The SFM is proposing the adoption by reference of only those sections listed below from Article 320-Armored Cable: Type AC, without amendment.

320.2 Definition.

The SFM is proposing the adoption by reference of only those sections listed below from Article 330-Metal-Clad Cable: Type MC, without amendment.

330.2 Definition.

330.10 Uses Permitted.

330.12 Uses Not Permitted.

The SFM is proposing the adoption by reference of only those sections listed below from Article 332-Mineral-Insulated, Metal-Sheathed Cable: Type MI, without amendment.

332.2 Definition.

332.10 Uses Permitted.

332.12 Uses Not Permitted.

The SFM is proposing the adoption by reference of only those sections listed below from Article 334-Nonmetallic Sheathed Cable Types NM, NMC, and NMS, without amendment.

334.10(A) Type NM.

334.10(B) Type NMC.

334.12 Uses Not Permitted

The SFM is proposing the adoption by reference of only those sections listed below from Article 362-Electrical Nonmetallic Tubing, without amendment.

362.2 Definition.

362.10 Uses Permitted.

362.12 Uses Not Permitted.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 4 – Equipment for General Use, Articles 400, 410, 422, and 450.

The SFM is proposing the adoption by reference of only those sections listed below from Article 400-Flexible Cords and Cables, without amendment.

400.6 Markings.

400.7 Uses Permitted.

400.8 Uses Not Permitted.

400.9 Splices.

400.10 Pull at Joints and Terminals.

400.12 Minimum Size.

400.13 Overcurrent Protection.
400.14 Protection from Damage.
400.30 Scope.
400.31 Construction.
400.32 Shielding.
400.33 Grounding.
400.34 Minimum Bending Radii.
400.35 Fittings.
400.36 Splices and Terminations.

The SFM is proposing the adoption by reference of only those sections listed below from Article 410-Lighting Fixtures, Lamp holders, Lamps, and Receptacles, without amendment.

410.5 Fixtures Near Combustible Material.
410.6 Fixtures Over Combustible Material.
410.8(D) Location.
410.12 Outlet Boxes to Be Covered.
410.13 Covering of Combustible Material at Outlet Boxes.
410.86(C) Adjacent to Combustible Materials.

The SFM is proposing the adoption by reference of only those sections listed below from Article 422-Appliances, without amendment.

422.10 Branch-Circuit Rating.
422.11 Overcurrent Protection.
422.12 Central Heating Equipment.
422.16 Flexible Cords.

The SFM is proposing the adoption by reference of only those sections listed below from Article 450-Transformers and Transformer Vaults, without amendment.

450.13 Accessibility.
450.21 Dry-Type Transformers Installed Indoors.
450.23 Less-Flammable Liquid-Insulated Transformers.
450.24 Nonflammable Fluid Insulated Transformers.
450.26 Oil-Insulated Transformers Installed Indoors.
450.27 Oil-Insulated Transformers Installed Outdoors.
450.41 Location.
450.48 Storage in Vaults.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 5 – SPECIAL OCCUPANCIES, Articles 500, 501, 502, 503 and 590.

Article 500-Hazardous (Classified) Locations, Classes I, II, and III, Divisions 1 and 2 - The SFM is proposing the adoption by reference the entire Article 500 without amendment.

Article 501-Class I Locations - The SFM is proposing the adoption by reference the entire Article 501 without amendment.

Article 502-Class II Locations - The SFM is proposing the adoption by reference the entire Article 502 without

amendment.

Article 503-Class III Locations - The SFM is proposing the adoption by reference the entire Article 503 without amendment.

Article 590-Temporary Wiring - The SFM is proposing the adoption by reference of entire Article 590 with amendments.

The SFM is proposing to bring forward and maintain the existing SFM amendment of the 2004 CEC Section 527.3(C) into Section 590.3(C) of the 2007 CEC (2006 NEC) as shown below with modification.

527.3 (C) 590.3(C) Emergencies and Tests. Temporary electrical power and lighting installations shall be permitted during emergencies and for tests, experiments, and developmental work ~~[For SFM] as approved by the authority having jurisdiction.~~

For applications listed in section 111 regulated by the Office of the State Fire Marshal, Temporary electrical power and lighting installations shall be permitted during emergencies and for tests, experiments, and developmental work as approved by the authority having jurisdiction.

CHAPTER 6 – SPECIAL EQUIPMENT, Article 625

The SFM is proposing the adoption by reference of the entire Article 625-Electric Vehicle Charging System Equipment as amended.

The SFM is proposing to maintain the existing SFM amendment of the 2004 CEC Section 625-29(E) as shown below.

625.29(E) ~~[For SFM] Ventilation Required.~~ [SFM] Where the electric vehicle supply equipment listed or labeled as suitable for charging electric vehicles that require ventilation for indoor charging and marked in accordance with Section 625.15(C), mechanical ventilation, such as fan, shall be provided as specified in the California Building Code.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143

CHAPTER 7 – SPECIAL CONDITIONS, Articles 700, 701, 702, 725, and 760.

Article 700-Emergency Systems - The SFM is proposing the adoption by reference of the entire Article 700-Emergency Systems without amendment.

The SFM is proposing to maintain the existing SFM amendments of 2004 CEC Section 700.12(B)(2) as shown below with amendment.

700.12(B)(2) Internal Combustion as Prime Movers. Where internal combustion engines are used as the prime mover, an on-site fuel supply shall be provided with an on-premise fuel supply sufficient for not less than 2 hours full-demanded operation of the system. Where power is needed for the operation of the fuel transfer pumps to deliver fuel to a generator set day tank, this pump shall be connected to the emergency power system.

[Exceptions for SFM]

Exception No. 1: [SFM] The on-premise fuel supply shall be sufficient for not less than 24 hours full-demand operation in acute general care hospitals and correctional treatment centers that provide optional services. For acute care

hospital facilities required to meet NPC-5, the on-premise fuel supply shall be sufficient for no less than 72 hours full-demand operations.

Exception No. 2: *[SFM]* The on-premise fuel supply shall be sufficient for not less than 6 hours full-demand operation in the following health facilities of seven or more beds: correctional treatment centers that provide only basic services, acute psychiatric hospitals, intermediate care facilities, and skilled nursing facilities.

Exception No. 3: *[SFM]* The on-premise fuel supply shall be sufficient for not less than 4 hours full-demand operation in ambulatory surgical clinics.

Article 701-Legally Required Standby Systems - The SFM is proposing the adoption by reference the entire Article 701-Legally Required Standby Systems, without amendment.

Article 702-Optional Standby Systems -The SFM is proposing the adoption by reference the entire Article 702-Optional Standby Systems, without amendment.

Article 725-Class 1, Class 2, and Class 3 Remote-Control, Signaling and Power-Limited Circuits - The SFM is proposing the adoption by reference the entire Article 725-Class 1, Class 2, and Class 3 Remote-Control, Signaling and Power-Limited Circuits, without amendments.

Article 760-Fire Alarm Systems - The SFM is proposing the adoption by reference the entire Article 760-Fire Alarm Systems.

The SFM is proposing to bring forward and maintain the existing SFM amendment from the 2004 CEC Section 760.1.1 as shown below with modification.

760.1.1 ~~For SFM~~ Equipment and Systems. *[SFM]* Fire alarm equipment and systems required to be installed in any occupancy within the scope of these regulations shall conform to the applicable performance and construction standards specified in NFPA 72-~~1999~~ 2002.

Authority: Health and Safety Code Sections 13143, 17921, 18949

References: Health and Safety Code Sections 13143